

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re: Sarem et al.  
Appl No.: 10/692,529  
Filed: Oct. 25, 2003  
For: A CELL AND TISSUE CULTURE DEVICE WITH TEMPERATURE REGULATION

Confirmation No.: 9904  
Group Art Unit: 2131

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION  
AND PETITION UNDER 37 C.F.R. § 1.47(b)**

In response to the Notification Of Missing Requirements Under 35 U.S.C. 1.53(b) dated Sept. 9, 2004, (hereinafter "Notification"), Applicant petitions under 37 C.F.R. § 1.47(b). In support of this petition, the documents listed below are enclosed:

1. Part 2 of Formalities Letter or Form PTO-1533 (Notice to File Missing Parts of Application).
2. Statement Of Facts In Support Of Filing On Behalf Of Nonsigning Inventor (37 C.F.R. Subsection 1.47(b)) with supporting documents.
3. Declaration on behalf of nonsigning inventors.
4. A check in the amount of \$65 to cover the surcharge under 37 C.F.R. § 1.16(e).
5. Power of Attorney by Assignee.

Any deficiency, additional fee, or credit may be charged to our Deposit Account No. 16-0605.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Raymond O. Linker, Jr.".

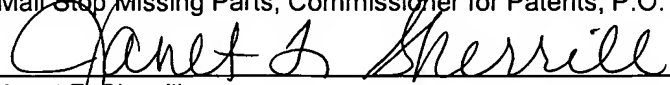
Raymond O. Linker, Jr.  
Registration No. 26, 419

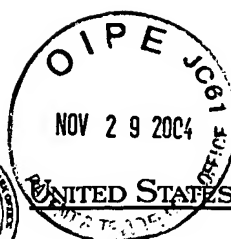
**Customer No. 00826**  
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"Express Mail" mailing label number EV331630367US

Date of Deposit November 29, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to:  
Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

  
\_\_\_\_\_  
Janet F. Sherrill



11/30/04

1FW

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/692,529	10/25/2003	Sarem	046190/270365

00826  
 ALSTON & BIRD LLP  
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 CHARLOTTE, NC 28280-4000

CONFIRMATION NO. 9904

FORMALITIES LETTER



\*OC000000013936363\*

Date Mailed: 09/29/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

12/01/2004 MBEYENE1 00000018 10692529

FILED UNDER 37 CFR 1.53(b)

01 FC:2051

65.00 OP

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

*Malmon*

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE